



# CITY OF NEWTON, MASSACHUSETTS

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Setti D. Warren  
Mayor

## ZONING BOARD OF APPEALS

Sherri Lougee, Board Clerk

### NOTICE OF DECISION

**A Public Hearing has been held with regard to the following petitions before the City of Newton Zoning Board of Appeals. The decisions were determined as follows:**

- #4-13** from Albert F. Quern, Jr. and Katherine R. Jordan Quern, 13 Prospect Street, Newton, MA, requesting the following variances in order to build a rear addition and convert an existing single family house to a two family house: (i) a variance of 389 square feet from the lot area requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One, resulting in lot area of 6,611 square feet. **(Required minimum lot area for old lots created before December 7, 1953 is 7,000 square feet.);** (ii) a 194.5 square foot variance from the lot area per unit requirement of the Newton Revised Zoning Ordinances, Section 30-15, Table One, resulting in lot area per unit of 3,305.5 square feet per unit. **(Required lot area per unit for old lots created before December 7, 1953 is 3,500 square feet.);** (iii) a 13.47 foot variance from the frontage requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One, resulting in frontage of 56.53 feet. **(Required frontage for old lots created before December 7, 1953 is 70 feet.);** and (iv) a 5.30% variance from the open space requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One, resulting in an open space of 44.70%. **(Required open space for old lots created before December 7, 1953 is 50%.)** The property is located in a Multi Residence 2 district. **The petitioners' requests for above variances was granted, subject to conditions, 5-0.**
- #5-13** from Buddhist Compassion Relief Tzu Chi Foundation, 15 Summer Street, Newton, MA, requesting a 25.10 foot variance from the front yard setback requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One, in order to construct a vestibule, resulting in a front yard setback of 4.90 feet. **(Required front yard setback for new lots created after December 7, 1953 is 30 feet.).** The property is located in a Multi Residence 1 district. **The petitioners' request for a variance from the front yard setback requirement was granted, subject to conditions, 5-0.**
- #6-13** from Helen Michael, 100 Devonshire Road, Newton, MA, requesting an amendment to variance #31-88 which established a 17.36 foot front yard setback for the property. Petitioners request a 10.36 foot variance from their existing front yard setback of 17.36, in order to legalize a non-compliant addition, resulting in a front yard setback of 7.0 feet. **The petitioners' request for a variance from the front yard setback requirement to legalize a non-compliant addition was granted, subject to conditions, 5-0.** Additionally, petitioners request a variance of 20.0 feet from the front yard setback requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One, in order to legalize an existing non-compliant deck, resulting in a front setback of 5.0 feet. **(Required front yard setback for old lots created before December 7, 1953 is 25 feet.).** The property is located in a Single Residence 2 district. **The petitioners' request for a variance from the front yard setback requirement to legalize a non-compliant deck was denied, 5-0.**

**Any appeal of the above decision must be made to the Middlesex County Superior Court, the Land Court in Boston or the Newton District Court, within twenty (20) days of its filing with the City Clerk in accordance with Section 17 of the Massachusetts General Law, Chapter 40A.**

**Decision numbers 4-13, 5-13 and 6-13 were filed on May 2, 2013.**